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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,886	10/04/2005	Peter Dam Neilsen	800.0172.U1(US)	6802
29683	7590	11/15/2010		
HARRINGTON & SMITH 4 RESEARCH DRIVE, Suite 202 SHELTON, CT 06484-6212			EXAMINER STEPHEN, EMEM O	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 11/15/2010	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/551,886

Applicant(s)

NEILSEN, PETER DAM

Examiner

EMEM STEPHEN

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10, 12, 13 and 37-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 10, 12-13, 37-62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/13/2010 has been entered.

Response to Arguments

2. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 10, 12-13, 37, and 40-62 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat No. 7,440,748 to Matsumoto et al.

Regarding claims 10, 51, and 59, Matsumoto discloses a method comprising: in operating a mobile communications device (col. 2 line 23, when a user makes a call), receiving a request to create a reminder (col. 2 lines 25-27, and col. 3 lines 13-15, a remaining unit for reminding the user to input the information that would have been conveyed to a party, and acceptance unit for accepting information); in response to receiving the request, receiving a selection of a recipient of the reminder (col. 2 lines 27-28, and col. 4 lines 20-22, a storage unit for receiving telephone number of party) and receiving a selection of a trigger application which is to trigger the reminder (col. 2 lines 35-53), generating the reminder comprising an indication of the trigger application and an indication of the recipient (col. 2 lines 27-34); and including sending the reminder to the recipient where the recipient is remote from the mobile communications device (see fig. 4 steps 110-111).

Regarding claims 43, 46, 55-56, and 61-62, Matsumoto discloses a method comprising: in operating a mobile communications device, receiving, from a remote device(col. 1 line 51, via internet), a received reminder comprising an indication of a trigger application and an indication of the mobile communications device number (col. 9 lines 21-25, receives communication data from outside the mobile station and recognizes the telephone number of the sender on the basis of the information indicating the telephone), where the remote device is remote from the mobile communications device; in response to receiving the received reminder (col. 9 lines 21-23, transmitted from outside to the mobile station), determining whether the received

reminder is compatible with capabilities of the mobile communications device(col. 9 lines 4-10); in response to determining that the received reminder is compatible, associating the received reminder with the trigger application (col. 9 lines 11-16) and storing the received reminder in a memory (col. 4 line 24).

Regarding claims 12, 52, and 60, Matsumoto discloses a method as claimed in claim 10, further comprising displaying a list of applications which may be selected as the trigger application which is to trigger the reminder (col. 7 lines 42-45).

Regarding claims 13, and 53, Matsumoto discloses a method as claimed in claim 10, further comprising receiving an additional input, and associating the input with the reminder (col. 9 lines 54-55).

Regarding claims 37, 47, 48, and 57, Matsumoto discloses the method as claimed in claim 10, further comprising receiving a selection of at least one application specific parameter, where an application specific parameter is one of: a resource address, a device setting associated with the trigger application and an application sub-routine of the trigger application, and the reminder further comprises the at least one application specific parameter (see fig. 3).

Regarding claims 40, and 49, Matsumoto discloses the method as claimed in claim 10, where the trigger application is one of: a gaming application and a web browsing application (col. 1 lines 50-53).

Regarding claim 41, Matsumoto discloses the method as claimed in claim 13, where the additional input comprises a note to be outputted when the reminder is announced (fig. 3 204, fig. 4 steps 107-109).

Regarding claims 42, 50, 54, and 58, Matsumoto discloses the method as claimed in claim 41, where the note comprises at least one of: text, audio content and image content (fig. 4 step 110).

Regarding claim 44, Matsumoto discloses the method as claimed in claim 43, further comprising: in response to determining that the received reminder is compatible, requesting confirmation that the reminder is to be processed (col. 7 lines 3-6).

Regarding claim 45, Matsumoto discloses the method as claimed in claim 43, further comprising: in response to receiving the confirmation, displaying the received reminder and requesting approval for the received reminder to be used, where associating the received reminder with the trigger application and storing the received reminder in the memory is only performed in response to the approval being received (see figs 6-7).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto in view of US Pat. No. 7,484,213 B2 to Mathew et al.

Regarding claims 38-39, Matsumoto discloses the method as claimed in claim 37, however, fails to disclose where the at least one application specific parameter is comprises a URL of a website, where the at least one application specific parameter is comprises a value indicating a number of phonebook entries when a backup copy was made. Mathew discloses where the at least one application specific parameter is comprises a URL of a website, where the at least one application specific parameter is comprises a value indicating a number of phonebook entries when a backup copy was made (see fig. 31, and col. 17 lines 55-60, and col. 18 lines 5-8).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Matsumoto where the at least one application specific parameter is comprises a URL of a website, where the at least one application specific parameter is comprises a value indicating a number of phonebook entries when a backup copy was made as disclosed by Mathew for the purpose of parameter retrieval with known information.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EMEM STEPHEN whose telephone number is 571 272 8129. The examiner can normally be reached on 8-5 Mon-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571 272 7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/E. S./
Examiner, Art Unit 2617
11/09/2010

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617